

**FILED** AUG - 1 2006

AUG 30 2006 FILED  
CLERK'S OFFICE

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DOCKET NO. 1708

C 06-3922 MMC

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-16)**

On November 7, 2005, the Panel transferred four civil actions to the United States District Court for the District of Minnesota for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 398 F.Supp.2d 1371 (J.P.M.L. 2005). Since that time, 171 additional actions have been transferred to the District of Minnesota. With the consent of that court, all such actions have been assigned to the Honorable Donovan W. Frank.

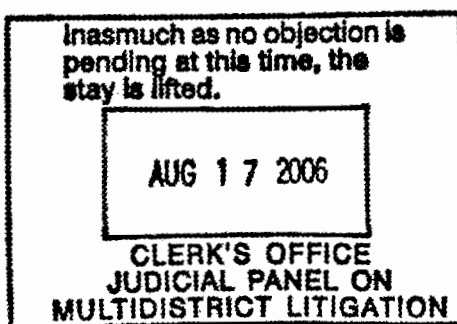
It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Minnesota and assigned to Judge Frank.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Minnesota for the reasons stated in the order of November 7, 2005, and, with the consent of that court, assigned to the Honorable Donovan W. Frank.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Minnesota. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Jeffery N. Lüthi*  
Jeffery N. Lüthi  
Clerk of the Panel



A true copy in 3  
of the record in my custody, Sheet (s)  
CERTIFIED, 8-22-06, 20  
(Richard D. Slatten, Clerk  
BY: *Mike Long*  
Deputy Clerk

**FILED**

AUG 22 2006

U.S. DISTRICT COURT MPLS

**SCHEDULE CTO-16 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1708**  
**IN RE GUIDANT CORP. IMPLANTABLE DEFIBRILLATORS PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
<b>ALABAMA MIDDLE</b>	
ALM 2 06-525	David Emerson v. Guidant Corp., et al. 06-3387
<b>ALABAMA NORTHERN</b>	
ALN 2 06-1254	Ebbie Myers, etc. v. Guidant Corp., et al. 06-3388
<b>CALIFORNIA NORTHERN</b>	
CAN 3 06-3789	Richard A. Harris v. Guidant Corp. 06-3389
CAN 3 06-3922	Kenneth B. Ricker v. Guidant Corp. 06-3390
<b>FLORIDA MIDDLE</b>	
FLM 3 06-511	Harriett Patterson, etc. v. Guidant Corp., et al. 06-3391
<b>KANSAS</b>	
<del>KS 6 06-1191</del>	<del>Michele Shannon v. Jesus Val Mejias, M.D., et al.</del> Opposed 8/17/06
<b>KENTUCKY WESTERN</b>	
KYW 1 06-87	James G. Ritter, etc. v. Guidant Corp., et al. 06-3392
KYW 3 06-287	Mary Ann Mudd v. Guidant Corp., et al. 06-3393
KYW 4 06-85	Olen D. Davis v. Guidant Corp., et al. 06-3394
<b>LOUISIANA EASTERN</b>	
LAE 2 06-2991	Albertha Shorty v. Guidant Corp., et al. 06-3395
LAE 2 06-2995	Elvina D. Carr v. Guidant Corp., et al. 06-3396
LAE 2 06-3050	Marie Davis v. Guidant Corp., et al. 06-3397
LAE 2 06-3051	John William Rhodes, Jr., et al. v. Guidant Corp., et al. 06-3398
LAE 2 06-3058	Clinton Bourgeois, et al. v. Guidant Corp., et al. 06-3399
<b>LOUISIANA MIDDLE</b>	
LAM 3 06-413	Joseph D. Truxillo, Sr. v. Guidant Corp., et al. 06-3400
LAM 3 06-419	Betty Ann Davis v. Guidant Corp. 06-3401
LAM 3 06-463	Clara Norman, et al. v. Merck & Co., Inc., et al. 06-3402
<b>LOUISIANA WESTERN</b>	
LAW 1 06-986	Nadine Linn v. Guidant Corp., et al. 06-3403
LAW 1 06-988	Rose Bialy, etc. v. Guidant Corp., et al. 06-3404
LAW 1 06-990	Cecilia James, et al. v. Guidant Corp., et al. 06-3405
LAW 1 06-991	Kawanda Edwards, et al. v. Guidant Corp., et al. 06-3406
LAW 2 06-989	Shirley Smith, et al. v. Guidant Corp., et al. 06-3407
LAW 3 06-981	Wilma Young v. Guidant Corp., et al. 06-3408
LAW 5 06-976	Mary Meitz Randinelli, et al. v. Guidant Corp., et al. 06-3409
LAW 5 06-977	William Lund, et al. v. Guidant Corp., et al. 06-3410
LAW 5 06-978	Karen Walker, etc. v. Guidant Corp., et al. 06-3411
LAW 6 06-993	William Ortego, et al. v. Guidant Corp., et al. 06-3412
LAW 6 06-994	Debra Robert, etc. v. Guidant Corp., et al. 06-3413
LAW 6 06-995	Thelma Irvin v. Guidant Corp., et al. 06-3414
LAW 6 06-1009	Yuber S. Bullock v. Guidant Corp. 06-3415

## SCHEDULE CTO-16 TAG-ALONG ACTIONS (MDL-1708)

Page 2 of 2

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
MAINE	
ME 1 06-70	Donna Caron v. Guidant Corp. 06-3416
OHIO NORTHERN	
OHN 1 06-1582	Cardienne Morris, et al. v. Guidant Corp., et al. 06-3417
PENNSYLVANIA EASTERN	
PAE 2 06-2489	Karen M. Sedler, etc. v. Boston Scientific Corp., et al. 06-3418
PENNSYLVANIA MIDDLE	
PAM 1 06-1212	Donald Wilhelm, etc. v. Boston Scientific Corp., et al. 06-3419
TENNESSEE WESTERN	
TNW 2 06-2384	Nancy Doss v. Guidant Corp., et al. 06-3420
TEXAS EASTERN	
TXE 2 06-232	Thomas Dunn, et al. v. Guidant Corp., et al. 06-3421
TXE 4 06-249	Adriana Araya, et al. v. Cardiac Pacemakers, Inc. 06-3422
TEXAS NORTHERN	
TXN 3 06-985	Mary Ballard v. Guidant Corp., et al. 06-3423
TXN 3 06-1080	Maria Hernandez, etc. v. Guidant Corp., et al. 06-3424
TEXAS SOUTHERN	
TXS 4 06-2143	Gloria Smith v. Guidant Corp., et al. 06-3425
TXS 4 06-2144	J.C. Bowie v. Guidant Corp., et al. 06-3426
UTAH	
UT 2 06-446	Jeffrey Hunt, et al. v. Guidant Corp., et al. 06-3427

*United States District Court  
District of Minnesota*

Office Of The Clerk  
300 S. Fourth St., Room 202  
Minneapolis, MN 55415

RICHARD D SLETTEN, CLERK  
(612) 664-5000

August 22, 2006

Mr. Richard W. Wieking, Clerk  
United States District Court  
Phillip Burton United States Courthouse  
450 Golden Gate Avenue  
San Francisco, CA 94102-3434

**RECEIVED**

AUG 30 2006

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re: MDL-1708 -- In re Guidant Corp. Implantable Defibrillators Products Liability Litigation  
YOUR CASE NUMBER: C.A. No. 3 06-3922 Ricker v. Guidant  
DISTRICT OF MINNESOTA CASE NUMBER: 06-3390 DWF/AJB


Dear Mr. Wieking:

A conditional transfer order of the Judicial Panel on Multidistrict Litigation under 28 U.S.C. §1407 was received and filed in this district on August 21, 2006. Enclosed is a certified copy of that order directing the transfer of your civil case to the District of Minnesota. The cases are assigned to Judge Donovan W. Frank and Magistrate Judge Arthur J. Boylan for coordinated or consolidated pretrial proceedings. Please reference the case number assigned in this court on all correspondence or communications.

Please forward a certified copy of the docket sheet for the case listed above together with a received stamped copy of this letter to: Clerk, U. S. District Court, 300 S. Fourth Street, Room 202, Minneapolis, MN 55415. Communications regarding these actions should be directed to Ms. Mary Kaye Conery or Ms. Lou Jean Gleason at (612) 664-5000. Should you have any questions please do not hesitate to call.

Very truly yours,

RICHARD D. SLETTEN, CLERK

  
Mary Kaye Conery, Civil Docket Supervisor

Enclosure

cc: Judge Donovan W. Frank  
Judicial Panel on Multidistrict Litigation